

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)
)
Plaintiff,) **ORDER**
)
vs.)
) Case Nos. 4:13-cr-066-7 and 4:13-cr-082-2
Kealoha Asaga Aulaumea,)
)
Defendant.)

Defendant is being held at the Lake Region Correctional Center (“LRCC”) in Devils Lake, North Dakota, pending sentencing. The court previously released defendant from custody on two separate occasions so that she could participate in a residential treatment program. In each instance she was terminated from the program due to misconduct.

On June 17, 2014, defendant filed a “Motion for Intermittent Release from Pretrial Detention.” She advises that the Lake Region Human Service Center (“LRHSC”) in Devils Lake, North Dakota, will permit her to return to its facility on a day-treatment basis. She asks that she be allowed leave the LRCC daily so that she can attend a day treatment program at LRHSC. The program’s hours are as follow: Mondays through Thursdays from 9:00 a.m. - 12:00 p.m. and from 1:00 p.m. - 3:00 p.m.; and Fridays from 9:00 a.m. - 12:00 p.m. The LRHSC is within walking distance from the LRCC. The Government has no objection to defendant’s motion and the LRCC’s administrator has advised that the LRCC can accommodate this proposed arrangement.

Accordingly, the court **GRANTS** defendant’s motion (Case No. 4:13-cr-066, Doc. No. 610, Case No. 4:13-cr-082, Doc. No. 101). Defendant’s pretrial detention conditions shall be modified as follows. Upon commencement of treatment, Defendant shall be permitted to leave the LRCC no

earlier than 8:30 a.m to attend day the LRHSC's day treatment program. Defendant shall return to the LRCC at the conclusion of her morning treatment session with understand that she shall be permitted to again leave the LRCC on Mondays through Thursdays to attend afternoon treatment sessions at the LRHSC. Once defendant has completed her afternoon treatment sessions, she shall immediately return to the LRCC. Defendant shall sign any necessary releases so that the Pretrial Services Officer can monitor her progress in the treatment program.

Dated this 24th day of June, 2014.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court